HON'BLE SRI JUSTICE P.S. NARAYANA

W.P.No.16097 of 2006

Dated: 1st AUGUST 2006

Between:

Yalla Jayamani W/o Chitti Mose, 35 years
R/o Kolanapalli village, Kalla Mandal, W G District

… Petitioner

And:

Mandal Development Officer and
Election Returning Officer, Kalla Mandal
West Godavari district & another

… Respondents

HON'BLE SRI JUSTICE P.S. NARAYANA

W.P.No.16097 of 2006

ORDER:

Heard the learned counsel.

This writ petition is filed for writ of mandamus declaring the inaction of the 1st respondent in disqualifying the 2nd respondent under Section 19(3) of A.P. Panchayat Raj Act for having more than two children from contesting as member of Kolanapalli village of Kalla Mandal, West Godavari district as arbitrary, illegal and violative of mandatory duties and pass such other suitable orders.

The main ground is that an objection was raised about the disqualification of 2nd respondent to contest as Member under Section 19(3) of A.P. Panchayat Raj Act 1994 before the 1st respondent, but the same was not considered. Several factual details had been narrated in the affidavit filed in support of the petition. It is needless to say that this question of fact which writ Court cannot gone into this writ petition. Admittedly, the petitioner is having a remedy by way of Election Petition and she can as well raise all her contentions raised in this petition before the Election Tribunal.

With the above observation, the writ petition is disposed of. No order as to costs.

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P.S. NARAYANA, J

Dated: 1st AUGUST 2006
BSS/MDAA